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PORTER CIRCUIT AND

STATE OF INDIANA) IN THE PORTER SUPERIOR COURT
)
COUNTY OF LAKE)

LAWRENCE HAWKINS,)
)
PLAINTIFF,)
)
vs.)
) Cause Number: 64D02-1504-CT-3124
MRS BPO, LLC.,)
DBA MRS ASSOCIATES,)
DEFENDANT.)

Complaint And Demand For Jury Trial - Individual

Plaintiff, Lawrence Hawkins (hereinafter referred to as "Mr. Hawkins"), on behalf of himself, by counsel, Michael P. McIlree, for his Complaint against the Defendant, MRS BPO LLC ("MRS"), alleges and state the following:

Introduction

1. This is an action for damages brought by the Plaintiff, ("Mr. Hawkins"), for the Defendant's violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter referred to as "FDCPA") which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

Jurisdiction

2. This Court has jurisdiction over the claims in this matter as Plaintiff resides in this jurisdiction and the conduct complained of occurred here.

Parties

3. Mr. Hawkins is an individual consumer currently residing in Porter County, Indiana.

4. MRS Associates is a collection agency who collects debts nationwide including the State of Indiana.

5. MRS Associates is a debt collector as defined by 15 U.S.C. § 1692a(6).

Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.

Factual Allegations

6. Defendant has been attempting to collect from plaintiff an alleged debt incurred for personal, family or household purposes.

7. On or about April 14, 2014, MRS Associates sent plaintiff the letter attached as **Exhibit A**.

8. The envelope to which the letter was contained is attached as **Exhibit B.**

9. The front of the envelope displayed the account number or reference number which MRS Associates assigned to plaintiff.

10. Defendant's conduct violates the Federal Fair Debt Collection Practices Act, 15 U.S.C. 1692 et al.

11. **EXHIBIT A-B** are printed forms, prepared in a standard manner. They have bar-coded addresses and return addresses, required by the Postal Services for a discounted postage rate when 500 or more similar pieces of mail are sent at once.

COUNT I – FDCPA

12. Plaintiff incorporates paragraphs 1-11.

13. The display of the account number on **Exhibit B** violated 15 U.S.C. §1692f(8). *Douglass v. Convergent Outsourcing*, 765 F.3d 299 (3rd Cir. 2014).

14. Section 1692f provides:

§ 1692f. Unfair practices [Section 808 of P.L.]

A debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: . . .

(8) Using any language or symbol, other than the debt collector's address, on any envelope when communicating with a consumer by use of the mails or by telegram, except

that a debt collector may use his business name if such name does not indicate that he is in the debt collection business.

WHEREFORE, the Court should enter judgment in favor of plaintiff and against defendant for:

(1) Statutory damages;

(2) Attorney's fees, litigation expenses and costs of suit; and

(3) Such other and further relief as the Court deems proper.

Respectfully submitted

By ______________________

Michael P. McIlree
Counsel for Plaintiff

JURY DEMAND

Plaintiff demands trial by jury.

Michael P. McIlree, #19847-45
Attorney at Law
15 Main St.
Hobart, IN 46342
Tel: (219) 548-1800
Fax: (219) 548-5905
Attorney for Plaintiff

EXHIBIT A

MRS

Send Payment/Correspondence to:
MRS Associates
1930 Olney Ave.
Cherry Hill, NJ 08003
800-957-6314

Office Hours :

Monday - Thursday	9am - 9pm	ET
Friday	9am - 8pm	ET

RE: AT&T
CLIENT ACCT#: xxx[redacted]
MRS ACCT#[redacted] Use only bold numbers when calling
AMOUNT DUE : $585.02

April 14, 2014

Dear LAWRENCE HAWKINS,

The above referenced client has placed your account with our office for collection. We recognize that sometimes circumstances or events can make it difficult to satisfy your financial obligations.

Resolving a long overdue debt is never easy. Often the hardest part is taking the first step. We are ready to assist you to find a solution that is both fair and reasonable. At this time, you are eligible for a settlement to resolve this debt. We are not obligated to renew this offer.

You pay $234.10 in 2 equal installments. Your first payment of $117.05 is due by 05/29/2014. Subsequent payment(s) are due by the 29th of the month until the settlement amount is paid in full.

Payment may be made by calling 800-957-6314, mailing to the above address or by using our online payment website at https://mrspay.webview.com (internet connection required). If you have any questions or wish to discuss other arrangements, you may contact us.

IMPORTANT CONSUMER INFORMATION

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Sincerely,

MRS Associates
800-957-6314
MRS Associates is a trade name of MRS BPO, L.L.C.
LU# 1126221.725815

Tax time is a great time to put nagging issues like this behind you once and for all. Consider using your tax refund to satisfy your outstanding obligation.

NOTICE OF PAYMENT FEE CHARGE

Should you elect to make a payment by Western Union, or a credit card, a separate fee will be charged by the payment service provider or processor. These fees are not paid to, nor charged by, MRS BPO, L.L.C.

This is an attempt to collect a debt and any information obtained will be used for that purpose.
This communication is from a debt collection agency.

MRS may report this account to all national credit bureaus after the expiration of the validation period.

EXHIBIT B

Return Address :
MRS BPO, L.L.C.
1930 OLNEY AVENUE
CHERRY HILL NJ 08003

PRESORT
FIRST-CLASS
U.S. POSTAGE &
FEES PAID
HOV SERVICES

[redacted]
LAWRENCE HAWKINS
5255 DOVER AVE
PORTAGE IN 46368-8676

KAREN M. MARTIN
CLERK OF THE CIRCUIT COURT
PORTER COUNTY COURTHOUSE
16 LINCOLNWAY • SUITE 209
VALPARAISO, INDIANA 46383

CERTIFIED MAIL

9171 9690 0935 0089 2296 58

MRS BPC, LLC
APR [illegible]
RECEIVED

MRS BPC LLC
c/o H.E.C.
1930 [illegible]
Cherry Hill, NJ 08003